June 9, 2025

House of Representatives
State of Ohio
Technology and Innovation Committee
The Hon. Thaddeus J. Claggett, Chair
The Hon. Heidi Workman, Vice Chair

Dear Members of the Committee:

Public Citizen submits this testimony in strong support of HB 185.

On behalf of our 18,858 members and supporters in Ohio, Public Citizen encourages the House Technology and Innovation Committee to advance HB 185, a legislative proposal regulating deepfakes. Deepfakes are fabricated content (videos, images, or audio) created with the use of generative artificial intelligence (A.I.) that depict a person saying or doing things that they never actually said or did in real life.

Recent advances in the realm of A.I. have made it such that tools needed to create deepfakes are now widely accessible. Meanwhile, the quality of deepfake technology is improving rapidly. At this point, the average person cannot distinguish a deepfake from real content.

Deepfake technology has deeply concerning implications for our elections. In 2024 we saw deepfakes being used around the world in attempts to undermine elections. Just two days before Slovakia's 2024 elections, an audio deepfake was disseminated on social media. The deepfake fraudulently represented a party leader discussing ways to rig the election[1]. It is believed that this deepfake influenced the outcome of the Slovakian election. There was also rampant use of deepfakes in recent major elections in many other countries.

We saw the use of deepfakes in the United States elections as well last year. Voters in New Hampshire received a robocall that was an A.I.- generated audio deepfake of Joe Biden[2]. The Deepfake had Former-President Biden encouraging voters to not vote in the Presidential

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[1] Meaker, M. (2023, March 10). Slovakia's Election Deepfakes Show AI Is a Danger to Democracy. Retrieved from Wired: https://www.wired.co.uk/article/slovakia-election-deepfakes
[2] Seitz-Wald, A., & Memoli, M. (2024, January 22). Fake Joe Biden robocall tells New Hampshire Democrats not to vote Tuesday. Retrieved from NBC News: https://www.nbcnews.com/politics/2024-election/fake-joe-biden-robocall-tells-new-hampshire-democrats-not-vote-tuesday-rcna134984

Primary Election. Governor Ron DeSantis's presidential campaign disseminated deepfake images of President Donald Trump hugging Dr. Anthony Fauci, which never happened[3]. A PAC circulated a deepfake of North Carolina candidate for Congress, former Representative Mark Walker, in which he was falsely depicted talking about how he was "not qualified for the job in Congress"[4].

Deepfake technology poses a major threat to our election integrity. It is not hard to envision a nightmare scenario where a well-timed fraudulent deepfake swings the outcome of an election.

At the same time, there has been an exponential rise in the circulation of non-consensual intimate deepfakes (deepfakes depicting an individual nude and/or engaging in sexual acts). Currently, 98 percent of all deepfakes circulated online are intimate deepfakes[5]. On Telegram alone, there are at least 50 bots that claim to create explicit photos or videos of people with only a couple of clicks. These bots have over 4 million monthly users combined[6].

It is worth noting, the vast majority (99%) of those victimized by intimate deepfakes are women and girls. A recent study found that 15% of students were aware of at least one intimate deepfake of someone associated with their school[7].

Intimate deepfakes cause serious harm to innocent people[8]. Victims report experiencing significant emotional consequences and trauma[9], as well as damage to their reputation and career. For example, more than 30 teen girls at a highschool in New Jersey were violated when A.I. generated intimate images of them were circulated around their school[10]. These girls reported feeling humiliated, exposed, and traumatized. Unfortunately, this is not just a singular

[3] Nehamas, N. (2023, June 8). DeSantis Campaign Uses Apparently Fake Images to Attack Trump on Twitter. Retrieved from The New York Times: https://www.nytimes.com/2023/06/08/us/politics/desantis-deepfakes-trump-fauci.html?auth=login-google1tap&login=google1tap
[4] Mikkelsen, E. (2024, March 1). North Carolina 6th District candidate Mark Walker calls video shared by PAC a 'deepfake'. Retrieved from Fox News: https://myfox8.com/news/politics/your-local-election-hq/north-carolina-6th-district-candidate-mark-walker-calls-video-shared-by-pac-a-deepfake/

[5] Home Security Heroes. (n.d.). 2023 State of Deepfakes: Realities, Threats, and Impact. Retrieved from Home Security Heroes: https://www.homesecurityheroes.com/state-of-deepfakes/
[6] Burgess, M. (2024, October 15). Millions of People Are Using Abusive AI 'Nudify' Bots on Telegram. Retrieved from WIRED: https://www.wired.com/story/ai-deepfake-nudify-bots-telegram/
[7] Williams, K. (2024, October 10). Minors Are On the Frontlines of the Sexual Deepfake Epidemic — Here's Why That's a Problem. Retrieved from: Tech Policy Press: https://www.techpolicy.press/minors-are-on-the-frontlines-of-the-sexual-deepfake-epidemic-heres-why-thats-a-problem/
[8] Nelson, H. (2024, February 7). Taylor Swift and the Dangers of Deepfake Pornography. Retrieved from National Sexual Violence Resource Center: https://www.nsvrc.org/blogs/feminism/taylor-swift-and-dangers-deepfake-pornography
[9] Nickert, J. (2023, November 13). The Damage Caused by Deepfake Porn. Retrieved from HealthNews: https://healthnews.com/mental-health/anxiety-depression/the-damage-caused-by-deepfake-porn/
[10] Blanco, A. (2023, November 3) Teen boys at New Jersey school accused of creating AI deepfake nudes of female classmates. Retrieved from Independent UK: https://www.independent.co.uk/news/deepfake-nude-westfield-high-school-nj-b2440793.html

incident. Cases of young people being victimized by intimate deepfakes have been reported in schools all across the country including in California, Washington, and Texas.

Deepfakes pose very real and present threats to our society. New legislation like HB 185 is critical.

Twenty-six states have already passed legislation regulating the use of deepfakes in elections, with numerous other bills currently pending across the country[11]. Forty-three states have passed legislation regulating the circulation of intimate deepfakes. Deepfake legislation has had broad bipartisan support - with Republicans and Democrats alike introducing these bills to regulate both political deepfakes and intimate deepfakes in states across the country. Many of these bills have passed unanimously.

Public Citizen strongly urges the House Technology and Innovation Committee to advance HB 185 in order to put in place much needed regulations to protect innocent people from the harms of deepfakes.

Thank you again for the opportunity to submit testimony in support of HB 185.

Respectfully Submitted,

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[11] Public Citizen. (2023, November 20). Tracker: State Legislation on Deepfakes in Elections. Retrieved from Public Citizen: https://www.citizen.org/article/tracker-legislation-on-deepfakes-in-elections/